

**RESOLUTION NO. 03-488**

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **STORM WATER DRAIN NO. 190 (north of 21<sup>st</sup>, east of 127<sup>th</sup> Street East) 468-83516** IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF CONSTRUCTING **STORM WATER DRAIN NO. 190 (north of 21<sup>st</sup>, east of 127<sup>th</sup> Street East) 468-83516** IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO- WIT:

SECTION 1. That Resolution No. **02-477** adopted on October 22, 2002, is hereby rescinded.

SECTION 2. That it is necessary and in the public interest to construct **Storm Water Drain No. 190 (north of 21<sup>st</sup>, east of 127<sup>th</sup> Street East) 468-83516** in the City of Wichita, Kansas.

SECTION 3. That the cost of said improvements provided for hereof is estimated to be **Six Hundred Seventy-Seven Thousand Dollars (\$677,000)**, exclusive of the cost of interest on borrowed money, with **100 percent** payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **September 1, 2002**.

SECTION 4. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

**HAWTHORNE ADDITION**

Lots 1 through 23, Block 1;  
Lots 1 through 24, Block 2;  
Lots 1 through 33, Block 3;  
Lots 1 and 2, Block 4;  
Lots 1 through 20, Block 5;  
Lots 1 through 34, Block 6;  
Lots 44 through 56, Block 6;

**HAWTHORNE 2ND ADDITION**

Lots 1 through 35, Block 1;  
Lots 1 through 8, Block 2;

SECTION 5. That the method of apportioning all costs of said improvements

attributable to the owners of land liable for assessment shall be on a **fractional basis**:

Lots 1 through 23, Block 1; Lots 1 through 24, Block 2; Lots 1 through 33, Block 3; and Lots 1 and 2, Block 4; all within Hawthorne Addition shall each pay 32/10,000 of the total cost payable by the improvement district. Lots 1 through 12, Block 5; Lots 44 through 56, Block 6; all within Hawthorne Addition shall each pay 34/10,000 of the total cost payable by the improvement district. Lots 1 through 8, Block 2, and Lots 1 through 35, Block 1; all within Hawthorne 2nd Addition shall each pay 34/10,000 of the total cost payable by the improvement district. Lots 13 through 20, Block 5, all within Hawthorne Addition, shall each pay 39/10,000 of the total cost payable by the improvement district. Lot 1, Block 6, within Hawthorne Addition, shall pay 708/10,000 of the total cost payable by the improvement district. Lot 2, Block 6, within Hawthorne Addition, shall pay 1283/10,000 of the total cost payable by the improvement district. Lot 3, Block 6, within Hawthorne Addition, shall pay 114/10,000 of the total cost payable by the improvement district. Lot 4, Block 6, within Hawthorne Addition, shall pay 107/10,000 of the total cost payable by the improvement district. Lots 5 and 6, Block 6, within Hawthorne Addition, shall each pay 104/10,000 of the total cost payable by the improvement district. Lot 7, Block 6, within Hawthorne Addition, shall pay 172/10,000 of the total cost payable by the improvement district. Lots 8 through 34, Block 6, within Hawthorne Addition, shall each pay 80/10,000 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 6. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 7. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 8. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 1980 Supp. 12-6a01 et seq.

SECTION 9. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 10. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said

publication.

ADOPTED at Wichita, Kansas, September 9, 2003.

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CARLOS MAYANS, MAYOR

ATTEST:

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PAT GRAVES, CITY CLERK

(SEAL)